

## Message Text

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TO AMEMBASSY LONDON

C O N F I D E N T I A L STATE 062512

FOR ALDRICH, WESTERN GROUP CONSULTATION ON HUMANITARIAN LAW

FOLLOWING REPEAT NATO 1393 ACTION SECSTATE INFO GENEVA 12 MAR

QUOTE

C O N F I D E N T I A L USNATO 1393

E.O. 11652: GDS

TAGS: PFOR, NATO, ICRC, PARM

SUBJ: INTERNATIONAL HUMANITARIAN LAW IN ARMED CONFLICT

1. GERMAN NATO DELEGATION HAS PROVIDED US WITH FRG DRAFT MANDATE (TEXT BELOW) TO NATO MILITARY COMMITTEE (MC) FOR FOLLOW-UP STUDY ON SECURITY IMPLICATIONS OF POSSIBLE BAN/ RESTRICTIONS ON THE USE OF CERTAIN CONVENTI,-) 23-09, .

2. FRG DELOFF INFORMED US THAT GERMANS WISHED RAISE THIS MATTER BILATERALLY TO SEEK US SUPPORT FOR MANDATE WHICH GERMANS PROPOSE ULTIMATELY TO RAISE IN POLADS. GERMANS SUGGESTED TO US THAT US REP AT LUGANO HAD AGREED WITH DESIRABILITY OF FURTHER MC WORK ON WEAPONS DISCUSSED AT CONFERENCE.

3. WE WOULD APPRECIATE DEPARTMENT GUIDANCE ON RESPONSE WE SHOULD MAKE TO GERMANS. WE ASSUME THIS MATTER WILL ALSO  
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BE ADDRESSED BY DISARMAMENT EXPERTS AT THEIR APRIL 5-6

MEETING. IF POSSIBLE, WE WOULD ALSO APPRECIATE  
BRIEF SUMMARY OF DEVELOPMENTS AT LUGANO FOR OUR  
BACKGROUND INFORMATION.

4. BEGIN TEXT OF GERMAN DRAFT MANDATE:

1. THE MILITARY COMMITTEE IS REQUESTED TO EVALUATE POSSIBLE  
SECURITY IMPLICATIONS FOR THE ALLIANCE OF ANY BANS  
OR RESTRICTIONS ON THE USE OF CONVENTIONAL WEAPONS  
DISCUSSED AT THE LUGANO CONFERENCE ON WEAPONS THAT  
"MAY CAUSE UNNECESSARY SUFFERING OR HAVE INDISCRIMINATE  
EFFECTS".

2. ON THE ASSUMPTION THAT THE WEAPONS AFFECTED (INCENDIARY  
WEAPONS, BLAST AND FRAGMENTATION WEAPONS, SMALL CALIBER  
PROJECTILES, LAND MINES AND BOOBY TRAPS) WILL NOT BE  
REPLACED WITH OTHER WEAPONS, THE MC SHALL EXAMINE THE  
IMPACT, SUCH BANS OR RESTRICTIONS WOULD HAVE ON THE  
CAPABILITIES OF ARMED FORCES BOTH IN NATO AND THE  
WARSAW PACT.

3. THE MC SHALL FURTHER INDICATE SUBSTITUTE WEAPONS SPECIFY-  
ING RESEARCH AND DEVELOPMENT NEEDED, THE TIME REQUIRED,  
THE COST INVOLVED AND THE CONSEQUENCES FOR NATO STRATEGY.

4. THE MC SHALL ALSO IDENTIFY WHICH MISSIONS AFFECTED BY  
SUCH BANS OR RESTRICTIONS COULD BE CARRIED OUT IN THE  
FUTURE WITH DIFFERENT TYPES OF WEAPONS.

5. PRIORITY IN TIME AND SUBSTANCE SHALL BE GIVEN TO THE  
PROPOSITIONS ON INCENDIARY WEAPONS PRESENTED AT THE  
LUGANO CONFERENCE (COLU) BY THE NETHERLANDS (COLU/205  
AND COLU/WPT CORR. 1) AND BY 21 NATIONS (RO/610/4) AS  
WELL AS TO THE PROPOSALS MADE BY SEVERAL EXPERTS ON  
MINES AND BOOBY TRAPS AS LISTED IN ANNEX A COLU/GG/MIL/  
REP/1/REV/1.

6. THE MC IS REQUESTED TO ELABORATE THE STUDY IN COOPERATION  
WITH DISARMEMENT EXPERTS AND HUMANITARIAN LAW SPECIALISTS.  
THE STUDY OUGHT TO BE COMPLETED BY AUGUST 31ST, 1976.  
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END TEXT OF GERMAN DRAFT. STREATOR UNQUOTE KISSINGER

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